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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,555	11/21/2000	Peter W. Austin	COMP:0133/van P00-3172	1699

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INTELLECTUAL PROPERTY ADMINISTRATION  
LEGAL DEPARTMENT, M/S 35  
P.O. BOX 272400  
FT. COLLINS, CO 80527-2400

EXAMINER
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CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/717,555

Applicant(s)

AUSTIN ET AL.

Examiner

Yean-Hsi Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13,22-32,34 and 35 is/are allowed.
- 6) ☒ Claim(s) 14-18 and 33 is/are rejected.
- 7) ☒ Claim(s) 19-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/13/05 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14-18 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Womble et al. (US 5,726,922).

Womble teaches a hard drive securing system (fig. 1) comprising: a plurality of guides (36) secured to a chassis (12), a hard drive carrier (10) held by a first plurality of guides (54, fig. 2) and configured to support a plurality of hard drives (26), and a

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securing lever mechanism (142, fig. 7) operable to secure the plurality of hard drives to the hard drive carrier (see col. 9, lines 1-4) (claim 14); wherein the securing lever mechanism has a guide portion (near 30) configured to receive a portion of a hard drive (76) when the securing lever mechanism is in a first position (shown in fig. 8C) (claim 15); wherein a first hard drive is secured when the securing lever mechanism is rotated to a second position (shown in fig. 8A) (claim 16); wherein the securing lever mechanism is operable to rotate from the first position to the second position (shown in figs. 8A and 8C) (claim 17); wherein the securing lever mechanism comprises a latch (154b) to secure the securing lever mechanism when the securing lever mechanism is in the second position (claim 18); and wherein the securing lever mechanism is configured to move inside the chassis (shown in figs. 1 and 7) (claim 33).

***Allowable Subject Matter***

4. Claims 1-13, 22-32 and 34-35 are allowed.
5. Claims 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Cooke et al. (US 5,112,119), Womble et al. (US 5,726,922), and Kikinis (US 5,539,616), taken alone or in combination, fails to teach or fairly suggest: a computer system comprising: a hard drive securing mechanism

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including a rotatable lever having a tapered guide configured to receive and secure a protruding member of a hard drive, wherein the tapered guide is further configured to rotate about the protruding member as set forth in claim 1; a hard drive securing system comprising a securing lever mechanism being configured with a cam to drive a hard drive carrier as the securing lever mechanism rotated from a first position to a second position as set forth in claim 19; a method of securing a plurality of hard drives to a computer chassis, comprising rotating a first hard drive into position between a first restraint and a securing lever before deploying a second hard drive between a second restraint and a carrier configured to direct the movement of the second hard drive, and rotating the securing lever to simultaneously secure the first hard drive by the first restraint and the lever and the second hard drive by the carrier and the second restraint as set forth in claim 22; and a rotatable lever for securing a hard drive, comprising a plurality of guides, each being configured to receive a protruding member of a hard drive when the rotatable lever is in a first position and to restrict the protruding member when the rotatable lever is in a second position different from the first position as set forth in claim 28. Claims 2-13 and 32, 20-21, 23-27 and 34, 29-31 and 35 are dependent claims from claims 1, 19, 22, and 28, respectively.

### ***Response to Arguments***

7. Applicant's arguments with respect to claim 14 have been considered but are moot in view of the new ground(s) of rejection.


***Correspondence***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang  
Primary Examiner  
Art Unit: 2835  
June 27, 2005

  
**YEAN-HSI CHANG**  
**PRIMARY EXAMINER**